

06-1704

RCE/2863\$ 2fw

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**Request
For
Continued Examination (RCE)
Transmittal**Address to: (Express Mail Label No. EL985153432US
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/316,651
Filing Date	May 21, 1999
Examiner Name	Michael P. Nghiem
First Named Inventor	Dr. Norm Faiola, Ph.D.
Art Unit	2863
Attorney Docket Number	270-109

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Resp. To Record Substance of Interview
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0289
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other IDS Fee of \$180.00 enclosed.
- b. ☒ Check in the amount of \$ 385.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	George S. Blasiak	Registration No. (Attorney/Agent)	37,283
Signature	<i>George S. Blasiak</i>	Date	June 16, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print /Type)	Barbara A. Saltsman	Date	June 16, 2004
Signature	<i>Barbara A. Saltsman</i>		

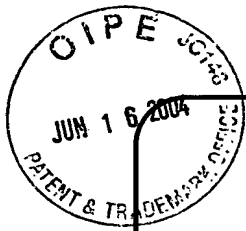
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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385.00 OP



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FEE TRANSMITTAL for FY 2004

Effective 10/01/03. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

Express Mail Label No. EL985153432US

TOTAL AMOUNT OF PAYMENT (\$) 950.00

Complete if Known

Application Number	09/316,651
Filing Date	May 21, 1999
First Named Inventor	Dr. Norm Faiola, Ph.D.
Examiner Name	Michael P. Nghiem
Group Art Unit	2863
Attorney Docket No.	270-109

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)									
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> MoneyOrder <input type="checkbox"/> Other <input type="checkbox"/> None				3. ADDITIONAL FEES									
<input type="checkbox"/> Deposit Account: Deposit Account Number: 50-0289 Deposit Account Name: Wall Marjama & Bilinski LLP													
<input type="checkbox"/> The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.													
FEE CALCULATION													
1. BASIC FILING FEE													
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			
1001	770	2001	385	Utility filing fee	1251	110	2251	55	Extension for reply within first month				
1002	340	2002	170	Design filing fee	1252	420	2252	210	Extension for reply within second month				
1003	530	2003	265	Plant filing fee	1253	950	2253	475	Extension for reply within third month				
1004	770	2004	385	Reissue filing fee	1254	1,480	2254	740	Extension for reply within fourth month				
1005	160	2005	80	Provisional filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month				
SUBTOTAL (1) (\$)								1401	330	2401	165	Notice of Appeal	
								1402	330	2402	165	Filing a brief in support of an appeal	
								1403	290	2403	145	Request for oral hearing	
								1451	1,510	2451	1,510	Petition to institute a public use proceeding	
								1452	110	2452	55	Petition to revive - unavoidable	
								1453	1,330	2453	665	Petition to revive - unintentional	
								1501	1,330	2501	665	Utility issue fee (or reissue)	
								1502	480	2502	240	Design issue fee	
								1503	640	2503	320	Plant issue fee	
								1460	130	2460	130	Petitions to the Commissioner	
								1807	50	2807	50	Processing fee under 37 CFR 1.17(q)	
								1806	180	2806	180	Submission of Information Disclosure Stmt	
								8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
								1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
								1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
								1801	770	2801	385	Request for Continued Examination (RCE)	385.00
								1802	900	2802	900	Request for expedited examination of a design application	
								Other fee (specify)					
								Reduced by Basic Filing Fee Paid					
								SUBTOTAL (3) (\$)				385.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE				
Total Claims	-20** =	Extra Claims	Fees from below	Fee Paid
Independent Claims	-3* =			
Multiple Dependent				
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	George S. Blasiak	Registration No. (Attorney/Agent)	37,283	Telephone	(315) 425-9000
Signature		Date	June 16, 2004		

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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The PTO did not receive the following listed item(s) check for \$950.00
but we did receive \$385.00